

REMARKS/ARGUMENTS

Applicant requests reconsideration of the rejection of claims 1-3, 5, and 6 as being unpatentable under 35 U.S.C. §102(b) as being anticipated by DeLorme et al, WO 98/35311. Applicant has amended claim 1, the base independent claim, to include the patentable feature of the validation system being connected to the computer system. The DeLorme reference does not disclose that the validation system is connected to the computer system that issued the ticket. In view of the amendment to claim 1, it is believed that claims 1-3, 5, and 6 are now allowable. The rejection of claims 1-3, 5, and 6 under 35 U.S.C. §102(b) should be withdrawn.

Applicant requests reconsideration of the rejection of claim 4 under 35 U.S.C. §103(a) as being unpatentable over DeLorme and further in view of a web page outline distributed by the Uniform Code Council, Inc. depicting ID numbers and bar codes. As indicated above, claim 1, the base independent claim from which claim 4 depends, is allowable. Claim 4 is allowable for the same reason. In view of the amendment to claim 1, the rejection of claim 4 under 35 U.S.C. §103(a) should be withdrawn.

Applicant requests reconsideration of the rejection of claims 7 and 8 under 35 U.S.C. §103(a) as being unpatentable over DeLorme and further in view of a web page timeline distributed by the Washington Metropolitan Area Transit Authority depicting use of farecards. As discussed above, claim 1, the base independent claim from which claims 7 and 8 depend, is allowable. Claims 7 and 8 are allowable for the same reason. In view of the amendment to claim 1, the rejection of claims 7 and 8 under 35 U.S.C. §103(a) should be withdrawn.

Applicant requests reconsideration of the rejection of claims 9 and 17 under 35 U.S.C. §103(a) as being unpatentable over DeLorme and further in view of a web page timeline of press releases distributed by TeamCard depicting use of smart cards for season tickets to sporting events. Claim 9 has been amended to include the patentable feature of the validation system being connected to the computer system. The DeLorme reference does not teach or suggest that the validation system is connected to the computer system that issued the ticket. In view of the amendment to claim 9, it is believed that claims 9 and 17 are now allowable. Further, claims 10-16, which depend from the base independent claim 9, are allowable for the same reason. The rejection of these claims should be withdrawn.

Claim 18 has been amended to include the patentable feature of the validating step comprising sending a validation signal to a computer system that issued the ticket with the computer system for determining if the validation signal is valid. None of the cited prior art references teach or suggest such a step. Claims 19 and 20 are allowable for the same reason. The rejection of claims 18-20 should be withdrawn.

Applicant requests reconsideration of the rejection of claims 21, 24, and 25 under 35 USC §103(a) as being unpatentable over DeLorme in view of Goldstein et al, U.S. Patent No. 6,216,227. Applicant has amended claim 21 to include the patentable feature of the validation system being connected to the computer system that provided the ticket signal with the computer system being capable of validating the ticket signal to determine if entrance to the event should be allowed. None of the cited references alone or in combination teach or suggest such an electronic ticketing and validation system. In view

of the amendment to claim 21, the base independent claim, the rejection of claims 21, 24, and 25 should be withdrawn.

Applicant requests reconsideration of the rejection of claim 22 under 35 USC §103(a) as being unpatentable over DeLorme in view of Sehr, U.S. Patent No. 6,386,451. Claim 22 depends from base independent claim 21 which was shown to be allowable. In view of the amendment to claim 21, it is believed that claim 22 is also allowable.

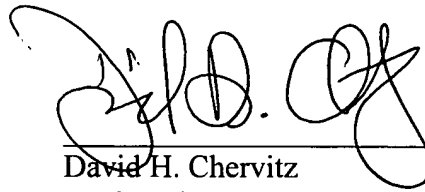
Applicant requests reconsideration of the rejection of claim 23 under 35 USC §103(a) as being unpatentable over DeLorme, Goldstein, and Sehr and further in view of the UCC Timeline. Claim 23 depends from base independent claim 21 which was shown to be allowable. In view of the amendment to claim 21, it is believed that claim 23 is now allowable.

Applicant brings to the attention of the Examiner what is believed to be a typographical error in paragraph numbered 1 of the Office Action dated March 18, 2003. In particular, the Action states, "the Examiner withdraws the rejection of claims 1-10 based on 35 USC 102 and 35 USC 103." It is believed that the Examiner meant to indicate that the rejection of claims 1-20 based on 35 USC 102 and 35 USC 103 were withdrawn in light of Applicant's affidavit. Correction of this particular statement in the Office Action is requested.

Applicant requests a one month extension of time up to and including July 18, 2003, in order to respond to the Office Action dated March 18, 2003. Enclosed as payment for the requested one month extension is a check in the amount of \$55, the fee required for a one month extension of time under 37 CFR §1.17(a)(1).

Applicant submits that upon entry and review of the amended claims and consideration of the above remarks this application should be in condition for allowance. In the event that this application is for any reason not considered by the Examiner to be in form for allowance, Applicant's counsel requests the Examiner to telephone the undersigned before issuing a further action to discuss any objections the Examiner might have, thereby simplifying and expediting the examination and prosecution process. In view of this application being made SPECIAL by the decision dated December 6, 2002, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David H. Chervitz", written over a horizontal line.

David H. Chervitz
Registration No. 32,820
POLSTER, LIEDER, WOODRUFF
& LUCCHESI, L.C.
763 South New Ballas Road, Suite 230
St. Louis, Missouri 63141
(314) 872-8118

Enclosure